

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION**

**IN RE: REAGOR-DYKES MOTORS,
LP ET AL.,
*Debtor.***

**§ Case No. 18-50214-RLJ-11
§ Chapter 11**

**DENNIS FAULKNER, TRUSTEE OF
REAGOR-DYKES AUTO GROUP
CREDITORS LIQUIDATING TRUST,
*Plaintiff,***

v.

§ Adversary Proc. No. 20-05039-RLJ

**AIMBANK,
*Defendant.***

§

DECLARATION OF JUSTIN SAUSER

My name is Justin Sauser. I have never been convicted of a felony or a crime of moral turpitude. I am in all ways competent to make this declaration. Pursuant to 28 U.S.C. § 1746, I declare as follows:

1. I am currently employed as a Systems Engineer for Heartland Financial USA, Inc. (“HTLF”), which is the parent company of FirstBank & Trust, formerly known as AimBank. The facts set forth in this declaration are based on my personal knowledge and true and correct.

2. My responsibilities include management of HTLF’s storage solution Isilion, Office 365 (including stored emails on Exchange online), and backup recovery including general infrastructure support.

3. As a Systems Engineer, I was tasked, along with other members of the “Infrastructure Team,” to locate documents relating to the Reagor-Dykes matter. One category of documents I assisted in looking for was kite reports. An example of the type of document we



looked for is HTLF0025200, which is a document titled as “Summary of Possible Kite Transactions.”

4. To find such reports, myself and other members of my team searched HTLF’s unstructured data, shared drives, and file directories, including the files migrated from AimBank, using key words such as “Reagor Dykes” and “kite”. The search was for documents dated from January 1, 2017 through the present, which includes both before and after the FirstBank & Trust and AimBank merger in December of 2020.

5. This search was very tedious because the Infrastructure Team, myself included, had only a limited understanding of AimBank’s pre-merger shared drives and file system structure, which made it difficult to know where to look for pre-merger documents. Nevertheless, the Infrastructure Team, including myself, completed the search using key words such as “Reagor Dykes” and “kite”. Ultimately, no additional kiting reports were found.

6. As a Systems Engineer for the Infrastructure Team, I do not have access to banking applications as HTLF employs a role-based privileges model. Upon information and belief, nobody on the Infrastructure Team has access to such applications.

7. I understand that daily kite reports from March 2018 forward from a banking application called “Synergy” were eventually located in a banking application called “OmniView”. Prior to learning about the reports being located, I was unfamiliar with both Synergy and OmniView.

8. As of the signing of this declaration, I am working with an outside vendor, Blue Layer from Lubbock, Texas, to determine whether kite reports that pre-date March 2018 were ingested into Synergy and whether it is possible to access such reports in any format.

[Remainder intentionally left blank]

I, Justin Sauser, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury that the above and foregoing is true and correct.

Signed on this, the 8th day of March 2022.

DocuSigned by:

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Justin Sauser